

Remarks/Arguments

Claims 1-24 are pending in the application. Of these claims, claims 1, 9, 13 and 21 are independent claims.

The Examiner has rejected claims 1-24 under 35 U.S.C. 102(b) as being anticipated by Ransom et al. (US 2004/0107025) (hereinafter “Ransom”). The Applicant respectfully traverses this rejection on the basis that Ransom fails to disclose each and every limitation of any of the claims.

Claim 1 of the present application recites the following two limitations (among others):

- (I) a wireless communication device
- (II) capable of executing server-side applications.

With respect to (I), the term “wireless communication device” refers to a mobile device for wireless communication (see, e.g., description at paragraph [0031] and reference numeral 10 in FIG. 1). In contrast, the Intelligent Electronic Devices (“IEDs”) disclosed in Ransom are for monitoring and controlling the flow of electrical power in an electrical power distribution system. It should be emphasized that the IED described in Ransom is a stationary (not mobile) device insofar as it is coupled to a power distribution network. Moreover, its function is to execute a desired power management function, not to provide a means of wireless communication (see paragraph [0032] of Ransom).

With respect to (II), the IED described in Ransom is not “capable of executing server-side applications”, as would be necessary for claim 1 to be anticipated. Ransom merely states that the

IED, in addition to performing a power management function, is also capable of implementing an application component of a power management application. In the paragraph referenced by the Examiner (paragraph [0065]), a number of different power management applications involving the exchange of data between dedicated application components running on multiple interconnected IEDs are described. Of particular note is Ransom's description that application components on the IED "work in concert with the components on a back end server" via a network "to implement the overall power management application" (see paragraph [0064]). This is understood to mean that the overall application is distributed between the server and the IEDs, rather than being wholly server-resident. Accordingly, it cannot be said that the application is a "server-side application". It follows that Ransom's IED is not "capable of executing a server-side application."

As a result, because each and every limitation of the claimed invention is not found in a single cited prior art reference, claim 1 cannot be anticipated by Ransom. Withdrawal of the rejection of claim 1 is therefore requested.

The same limitations (I) and (II) that are recited in claim 1 are also recited in independent claims 9, 13 and 21. Accordingly, the above arguments are equally applicable to these claims. On that basis, withdrawal of the rejection of these claims is similarly requested.

Given that the independent claims distinguish over the cited art, the remaining claims, which depend from the independent claims, also distinguish over the art of record. Nevertheless, the Applicant offers the following specific comments regarding the Examiner's rejection of certain ones of these claims.

Claims 2 and 14 introduce the limitation of “wherein said operational status of the wireless communication device comprises an indication of N most recent errors occurring at said wireless communication device, where N is an integer”. Claims 2 and 4 were rejected on the basis of Ransom paragraph [0060]. However, the only mention of “errors” in Ransom paragraph [0060] is in reference to controlling errors by verifying that data is being generated and commands are being received by the appropriate devices. This in no way shows the above limitation. The rejection of these claims is therefore wholly unfounded and is expressly traversed for that reason.

Claims 3 and 15 introduce the limitation of “wherein said operational status of the wireless communication device comprises an indication of N messages most frequently received at said device, where N is an integer”. Claims 3 and 5 were rejected on the basis of Ransom paragraph [0065]. However, close review of that paragraph fails to reveal any disclosure of the above limitation. The rejection is therefore unfounded and is expressly traversed.

Finally, claims 8 and 20 introduce the limitation of “wherein said operational status of the wireless communication device comprises an indication of available memory at said wireless communication device”. Claims 8 and 20 were rejected on the basis of Ransom paragraph [0030]. However the only discussion of memory in that paragraph is a statement to the effect that IEDs “make use of memory and microprocessors to provide increased versatility and additional functionality.” Merely using memory is of course well known and in no way discloses the above limitation. The rejection of these claims is therefore expressly traversed.

To the extent that any of the Examiner’s rejections are maintained, the Examiner is

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requested to clearly indicate which features of Ransom purportedly show each claim limitation. References to excerpts of Ransom without anything further leave the Applicant uncertain as to the exact grounds of each rejection. Such rejections are prejudicial to the Applicant's rights, as the Applicant is forced to expend its limited opportunities for response simply for the purpose of clarifying the rejection.

In view of the foregoing, favorable reconsideration and allowance of the application are earnestly solicited.

Respectfully submitted,



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